

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

21

United States of America

USCA NO. 08-2298-LR

SDNY NO. 07-cr-544

JUDGE: Cote

DATE: 6/3/08

-v-

Robert Quinones

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME)

Eric Price

FIRM

Federal Defenders of NY Inc.

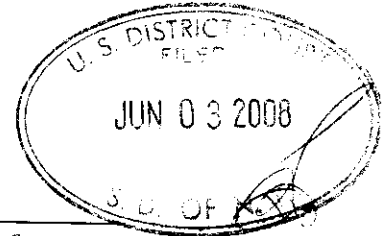
ADDRESS

32 Duane St. 10th Fl

NY NY 10007

PHONE NO.

(212) 417-8742



DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Only Circled Documents Included

(☒) Original Record

(☐) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 3 Day of June, 2008.

United States District Court for
the Southern District of New York

United States of America

-v-

Date: 6/3/08

U.S.C.A. # 08-2298-cr

U.S.D.C. # 07-cr-544

D.C. JUDGE: Cote

Robert Quinones

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 20, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 3 Day of June In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232nd year.

J. Michael McMahon, Clerk

By

Deputy Clerk

APPEAL, CLOSED, ECF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:07-cr-00544-DLC-1
Internal Use Only

Case title: USA v. Quinones

Date Filed: 08/14/2007

Date Terminated: 05/05/2008

Date Filed	#	Docket Text
06/14/2007	<u>1</u>	SEALED INDICTMENT as to Sealed Defendant 1 (1) count(s) 1-25, 26-27. (jm) (Entered: 08/20/2007)
08/17/2007	<u>2</u>	Order to Unseal Indictment as to Sealed Defendant 1.. (Signed by Judge Andrew J. Peck on 08/17/07)(jm) (Entered: 08/20/2007)
08/17/2007	<u>3</u>	INDICTMENT UNSEALED as to Sealed Defendant 1. (jm) (Entered: 08/20/2007)
08/17/2007		Case Designated ECF as to Sealed Defendant 1. (jm) (Entered: 08/20/2007)
08/17/2007		Arrest of Robert M. Quinones. (jm) (Entered: 08/20/2007)
08/17/2007	<u>5</u>	NOTICE OF ATTORNEY APPEARANCE: Deirdre D. Von Dornum appearing for Robert M. Quinones. (jm) (Entered: 08/20/2007)
08/17/2007	<u>6</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Robert M. Quinones. Deirdre D. Von Dornum for Robert M. Quinones appointed.. (Signed by Judge Andrew J. Peck on 08/17/07)(jm) (Entered: 08/20/2007)
08/17/2007		Minute Entry for proceedings held before Judge Andrew J. Peck :Initial Appearance as to Robert M. Quinones held on 8/17/2007. Defendant present with attorney Deirdre Von Dornum; AUSA John Kane also present. Defendant enters a plea of Not Guilty and is to be released upon the following conditions: \$100,000 PRB with one (1) FRP, travel restricted to SDNY/EDNY & District of New Jersey; strict pretrial w/ drug testing/treatment. Defendant to be released on his signature with remaining conditions to be met by 8/22/07. A hearing is scheduled for 8/22/07 and time is excluded on consent. (jm) (Entered: 08/20/2007)
08/17/2007		Minute Entry for proceedings held before Judge Andrew J. Peck : Defendant present with attorney Deirdre Von Dornum; AUSA John Kane also present. Defendant enters a plea of Not Guilty and is to be released upon the following conditions: \$100,000 PRB with one (1) FRP, travel restricted to SDNY/EDNY & District of New Jersey; strict pretrial w/ drug testing/treatment. Defendant to be released on his signature with remaining conditions to be met by 8/22/07. Arraignment as to Robert M. Quinones (1) Count 1-25,26-27Robert M. Quinones (1) Count 1-25,26-27 held on 8/17/2007., Plea entered by Robert M. Quinones (1) Count 1-25,26-27Robert M. Quinones (1) Count 1-25,26-27 Not Guilty., as to Robert M. Quinones. Pretrial Conference set for 8/22/2007 at 09:00 AM before Judge Denise L. Cote. Time until 8/22/07 is excluded on consent. (jm) (Entered: 08/20/2007)
08/17/2007		ORAL ORDER as to Robert M. Quinones Time excluded from 08/17/07 until 08/22/07.. (jm) (Entered: 08/20/2007)
08/17/2007	<u>7</u>	PRB Bond Entered as to Robert M. Quinones in amount of \$ 100,000, co-signed by one FRP. Travel restricted to SDNY/EDNY & District of New Jersey. Surrender travel documents (& no new applications). Strict Pretrial supervision. Drug Testing/treatment. Deft. to be released upon following conditions: Own signature. Remaining conditions to be met by 8/22/07. (jm) (Entered: 08/20/2007)
08/17/2007	<u>8</u>	ADVICE OF PENALTIES AND SANCTIONS as to Robert M. Quinones. (jm) (Entered: 08/20/2007)
08/17/2007	<u>9</u>	CJA 23 Financial Affidavit by Robert M. Quinones. (Signed by Judge Andrew J. Peck) (jw) (Entered: 08/29/2007)
08/22/2007		Minute Entry for proceedings held before Judge Denise L. Cote :Pretrial Conference as to Robert M. Quinones held on 8/22/2007. IPTC held. Deft present w/atty Deirdre von Dornum. Special Assistant U.S. Attorney Michael Ben'ary and Asst. U.S. Attorney Rosemary Nidriy present. IRS Special Agent Brian Brennan present. Court reporter Rebecca Forman present. Govt to complete its discovery by 9/30/07. Any defense motion will be due 10/26/07; Govt's opposition due 11/9/07; reply, if any, due 11/16/07. Trial date set for 1/14/08. Time excluded from 8/22/07 until 1/14/08 pursuant to 18 USC Section 3161(h)(8)(A). Bail continued. (bw) (Entered: 08/28/2007)
08/22/2007		ORAL ORDER as to Robert M. Quinones. Time excluded from 8/22/07 until 1/14/08. Discovery due by 9/30/2007. Motions due by 10/26/2007. Responses due by 11/9/2007. Replies due by 11/16/2007. Ready for Trial by 1/14/2008. (bw) (Entered: 08/28/2007)
09/24/2007	<u>10</u>	TRANSCRIPT of Proceedings as to Robert M. Quinones held on 8/22/2007 before Judge Denise L. Cote. (jar) (Entered: 09/24/2007)
12/21/2007		Minute Entry for proceedings held before Judge Denise L. Cote:Arraignment as to Robert M. Quinones (1) Count 1-25,26-27 held on 12/21/2007. Deft present with atty Deirdre von Dornum. AUSA Michael Ben'ary and Justin Weddle present. IRS Special Agent Jason Anauziato present. Court reporter Ann Hiarston present. Deft pleads guilty as charged in 07 cr 544. The Court accepts guilty plea. PSR ordered. Sentence date set for March 28, 2008 at 2:30pm. Any defense submissions shall be due March 14; Govt's reply due March 21. Bail continued. (jw) (Entered: 12/26/2007)
12/21/2007		Minute Entry for proceedings held before Judge Denise L. Cote: Plea entered by Robert M. Quinones (1) Guilty as to Count 1-25,26-27. (jw) (Entered: 12/26/2007)
12/21/2007		Order of Referral to Probation for Presentence Investigation and Report as to Robert M. Quinones. (Signed by Judge Denise L. Cote on 12/21/07)(jw) (Entered: 12/26/2007)
12/21/2007		Minute Entry for proceedings held before Judge Denise L. Cote: as to Robert M. Quinones;Government Responses due by 3/21/2008; Sentencing set for 3/28/2008 at 02:30 PM before Judge Denise L. Cote. (jw) (Entered: 12/26/2007)
01/24/2008	<u>11</u>	TRANSCRIPT of Proceedings as to Robert M. Quinones held on 12/21/07 before Judge Denise L. Cote. (jbe) (Entered: 01/24/2008)
02/08/2008		Minute Entry for proceedings held before Judge Denise L. Cote:Status Conference as to Robert M. Quinones held on 2/8/2008, as to Robert M. Quinones. De, 2ft present with atty Deirdre von Dornum. AUSA Michael Benary and Rosemary Nidriy present. Court reporter Joanne Mancari present. Pretrial Service Officer Tom Marino present. Conference held to address PTS Officer Marino's report to the Court advising that the defendant is still employed as a tax preparer. The Court orders the defendant to provide to the Government by February 13, 2008, all the information needs to identify and retrieve each of the tax returns prepared or assisted in preparing since the entry of his guilty plea on December 21, 2007. The defendant is to discontinue preparing tax returns. Bail

		continued. (jw) (Entered: 03/03/2008)
02/28/2008	<u>12</u>	ORDER as to Robert M. Quinones as to Robert M. Quinones(Government Responses due by 4/18/2008, Sentencing set for 4/25/2008 at 02:30 PM before Judge Denise L. Cote.)ORDERED that the sentence date previously scheduled for March 28, 2008 is adjourned to April 25, 2008 at 2:30pm. There shall be no further adjournment. It is further ORDERED that defendant's sentencing submissions shall be due April 11 and the Government's response shall be due April 18. (Signed by Judge Denise L. Cote on 2/28/08)(jw) (Entered: 02/28/2008)
03/10/2008	<u>13</u>	TRANSCRIPT of Proceedings as to Robert M. Quinones held on 2/8/2008 before Judge Denise L. Cote. (tve) (Entered: 03/10/2008)
03/18/2008	<u>14</u>	TRANSCRIPT of Proceedings as to Robert M. Quinones held on 2/08/2008 before Judge Denise L. Cote. (ama) (Entered: 03/18/2008)
04/11/2008	<u>15</u>	SENTENCING MEMORANDUM by Robert M. Quinones. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(Baum, Robert) (Entered: 04/11/2008)
04/17/2008	<u>16</u>	SENTENCING MEMORANDUM by USA as to Robert M. Quinones. (Ben'ary, Michael) (Entered: 04/17/2008)
04/21/2008	<u>17</u>	SENTENCING MEMORANDUM by Robert M. Quinones. (Von Dornum, Deirdre) (Entered: 04/21/2008)
04/24/2008	<u>18</u>	SENTENCING MEMORANDUM by USA as to Robert M. Quinones. (Ben'ary, Michael) (Entered: 04/24/2008)
04/25/2008		Minute Entry for proceedings held before Judge Denise L. Cote:Sentencing held on 4/25/2008 for Robert M. Quinones (1) Count 1-25,26-27. (pr) (Entered: 05/06/2008)
05/05/2008	<u>19</u>	JUDGMENT as to Robert M. Quinones (1), Count(s) 1-25, 26-27, 30 months imprisonment, to run concurrently. 3 years supervised to run concurrently with supervision. \$2,700.00 special assessment. \$27,107.00 restitution.(sec the attached J&C for the full text). (Signed by Judge Denise L. Cote on 5/5/08)(pr) (Entered: 05/06/2008)
05/07/2008	<u>20</u>	NOTICE OF APPEAL by Robert M. Quinones from <u>19</u> Judgment. (tp) (Entered: 05/08/2008)
05/07/2008		Appeal Remark as to Robert M. Quinones re: <u>20</u> Notice of Appeal - Final Judgment. NO FEE. FEDERAL DEFENDERS OF NEW YORK. (tp) (Entered: 05/08/2008)
05/08/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Robert M. Quinones to US Court of Appeals re: <u>20</u> Notice of Appeal - Final Judgment. (tp) (Entered: 05/08/2008)